

012.P7007

Patent

REMARKS

Claims 1, 2, 5 - 9, 12 - 16 and 19 are amended. Claims 21 - 25 are added. No claims are cancelled. Claims 1 - 25 are pending.

On April 25, 2005, Applicants' representative conducted a telephonic interview with the Examiner in connection with the amended claims and U.S. Patent No. 5,822,311 to Hassan. In particular, Examiner and Applicants' representative discussed how the amended claims may distinguish over this patent. The Applicants' representative thanks the Examiner for courtesies extended in this interview.

The Examiner objected to some typographical errors relating to terms such as "ranging," "comprising," "new" and "units." Applicants have amended claims 1, 2 and 9, where appropriate, to address these objections. Regarding references to the term "a subscriber unit" in claims 1 and 2, Applicants have amended this phrase to read - - one or more of said subscriber units - -. Since the purpose of these amendments is merely to address informalities relating to terms that were already in an understandable form, these amendments are not intended to alter the scope of the claims and do not result in prosecution history estoppel. Applicants thank the Examiner for pointing out these oversights and respectfully submit that the claims are now in proper form.

The Examiner rejected claims 1 - 20 as being anticipated by U.S. Patent No. 5,822,311 to Hassan (the "311 patent") under 35 U.S.C. § 102 (b). This rejection is respectfully traversed.

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The '311 patent appears to show a technique for establishing access to a GSM system using messages transmitted in a random access control channel (RACH). Figures 4 and 5 appear to illustrate processes for transmitting a burst request in the RACH. Figure 2 appears to show how the RACH comprises an uplink portion of common control channel (CCCH) but does not appear to show that the RACH is temporally interleaved with any other channel. Also, the '311 does not appear to specify any duration associated with the RACH.

Independent claims 1, 2, 9 and 16, as amended, distinguish over the '311 patent by reciting, *inter alia*, that the "new access opportunity window" has "a duration of at least a duration of the access burst message added to a propagation delay." The '311 patent does not appear to specify any duration for the RACH. These claims, therefore, distinguish over the '311 patent. Accordingly, Applicants respectfully submit that claims 1 – 20 distinguish over the '311 patent.

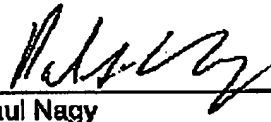
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In view of the foregoing amendments and remarks, Applicants respectfully submit that this application is in condition for allowance. However, if the Examiner finds an reason why this application is not in condition for allowance, Applicants request to contact the undersigned attorney by telephone at (310) 541-7832 to discuss the application.

Respectfully submitted,

Berkeley Law and Technology Group, LLC

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